

In The United States District
Court Northern District of Oklahoma

United States of
America

v.

Lindsey Kent Springer, et al

08-CV-278

FILED

SEP 27 2010

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Springer's opposition to United States'
Response to Moore Trust and
Smith Motion to Clarify.

Lindsey Kent Springer's ("Springer") opposition
to the United States response to Moore
Trust and Smiths Motion to Clarify.

The United States Tax Division is clearly
speaking for the Moore Trust and Smiths.
They characterize the Motion as the
Third-Party defendants Resp. al. They also
direct rule 60(b) allows the Court to
amend its order now on appeal where
the opening brief is due by the Government
on October 13, 2010.

The United States also admits this
Court's only Jurisdiction is under 26 U.S.C.
7401 and 7403. Resp. at 1

Springer has moved to dismiss for lack of
Jurisdiction under Title 26 USC § 7401 and § 7403.
This Court has a continuing duty to address
Jurisdiction. Springer has also moved to
to strike the response because it erroneously
States Scott Woodward is the U.S. Attorney.
The Tulsa World on August 22, 2010 reported
Mr. Woodward was "acting."

Unless Mr. Woodward is appointed
by some Federal Statute he is not acting.

The Moore Trust and Smiths Mineral Rights are not before the Court. This Court has no jurisdiction to decide the mineral rights of the Moores and Smiths over the property owned by SLCA.

There is obviously discrepancies in the evidence of ownership of Mineral Rights. At no time was the mineral rights alleged by the United States in their amended complaint.

The Mineral Rights at best originate to W.T. Moore and W.T. Smith. Movants Exh. 1. W.T.'s mineral Rights are not at issue.

There is no evidence before the Court that W.T. Moore's interest in anything, including Mineral Rights of land described in Exhibit 1, was ever transferred to the Moore Trust.

This issue is simply not before the Court by the Amended Complaint which first suffers for want of Jurisdiction at § 7401 and 7403.

Conclusion

This Court lacks jurisdiction over the Complaint, Amended Complaint, as it was not authorized by any. District Director, delegation or redelegation, and certainly has no jurisdiction to decide the mineral rights of W.T. Moore and W.T. Smith in SLCA's property. No proper delegate of the Attorney General authorized the Amended Complaint.

Respectfully Submitted

Gregory H. Spry

Certificate of Service

I hereby Certify that Springer's Response in opposition to United States Response to Moore Trust and Smith's Motion to Clarify was mailed to the Court Clerk at 333 W. 4th St, Tulsa, OK 74103.

I further Certify all parties will receive service of this filing through this Court's ECF System;

Robert D. Metcalfe
James E. Strong
Allen Mitchell

dated 9.23.10

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